

K. H—, Lord

THE
Lord H—s
SPEECH
IN THE
HOUSE OF LORDS
ON THE
FIRST ARTICLE
OF THE

IMPEACHMENT

Dr. HENRY SACHEVERELL



L O N D O N,

Printed for A. R. and Sold by J. Morphew near Stationers
Hall: 1710: Price Three Pence.

THE
PUBLISHER
TO THE
READER.

HAVING got into the House of Peers, with the Crowd, to hear the Debate upon the First Article of Dr. S-----'s Impeachment, I had the Curiosity to take in Short-Hand what I heard: And being returned, after a long Journey into the North, I find several Speeches made on that Debate printed. I was very much surprized that the following Speech had been so long suppress'd; And since others have taken the Liberty to print Speeches without Consent, I hope I shall be pardoned by the Noble Lord, if I present the Publick with this most Excellent Speech.

L O N D O N

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The Lord H—; SPEECH
in the House of Lords, on the
First Article of the Impeachment
of Dr. Henry Sacheverell.

My LORDS,
WHEN I consider where this Impeachment first began, I cannot but think the Design of it was very good; but whatever it was in its first Intendment, it is very evident, it has already produced very mischievous Effects; it has created great Disturbances in private Families, and Tumults amongst the People, and raised a Ferment in the Nation that will not be laid by Your Lordships Judgment, let that be what it will. It has been a Two-edg'd Mischief, giving the Church on the One Side, and the Dissenter on the Other, too just Apprehension that they are Both in Danger: Nor can this be wonder'd at, when Your Lordships have been told by some of the Managers, of a *pretended* Divine Right of the Church; and when it has been more than hinted by the Managers of the House of Commons, that the Clergy ought to be directed by the Civil Power, what Doctrine they should teach: Nay, when they have authoritatively taken upon them to interpret Scripture, and charged it as a Crime upon a Minister, That he had wrested several Places of it to his own wicked Intentions.

My Lords,
 After so noble a Defence made for the Doctor, by his Council, and so great and moving an Apology by himself, I should not trouble Your Lordships upon this Occasion, were it not more in Justification of myself, for the Judgment I shall give, than for the sake of the Doctor, whose Cause I think now stands in very little need of it.

I was, *My Lords*, a Sufferer in the late Reigns, as well as others; I was in the Convention-Parliament, and in the Vote of Abdication, and am, at this Day, of the same Principle I was then; and yet, notwithstanding this, I am not ashamed to say to Your Lordships, that I think myself obliged in Justice to acquit the Doctor from the Charge brought against him in this Article. And tho' this may seem strange to some of Your Lordships, yet I hope it will not appear so very strange, as to see Bishops vote against their own Doctrines, and Dissenters in the midst of a Mob that are pulling down Meeting-Houses; especially, after the Reasons I shall offer to Your Lordships, for the Support of my Opinion.

I shall not trouble Your Lordships about the Original of Government, or the divers Forms of it: Your Lordships heard that learnedly discoursed on by one of the Managers of the House of Commons below. But there is one Thing, *My Lords*, that, if my Memory serves me right, that Gentleman omitted; and it is a Matter too, that I take to be of the greatest Consequence to any Government whatsoever; I mean, the Divine Appointment or Institution of Government itself, from which Appointment it is that Men are obliged to Obedience to the Magistrate, not only for Wrath or Fear of him, but for Conscience sake, for Dread of a future Punishment, which is the greatest Security the Magistrate has. And I the rather mention this, because of Notions that some People have of late advanced of their own (and have found their Advantage too in so doing) of a discretionary Obedience only; that is, in my Opinion, whilst the Government is for them, they will be for it, and think themselves bound to obey no longer. It is not necessary to the Proof of this Divine Authority to fix the just Time and Place, when and where, and how the Knowledge of it was first communicated to Mankind: It is enough, that we have it as expressly, as plainly, and as clearly declared, as can be put into Words, that it is so.

There is another Thing, *My Lords*, that in general I would mention to Your Lordships, before I come to the Article itself, which may otherwise be the Occasion of some Mistake in this Debate; we are not now judging according to our own Notions of Politicks, or determining how far Resistance or Non-Resistance is lawful. It would be a strange Rule of Judgment to find any Man guilty for the sake of ones own private Opinion, and for establishing a Doctrine which he likes, and his Neighbour does not. But the only Question before Your Lordships, is, Whether, and how far, the House of Commons have made good their Charge against the Doctor? And I take Liberty to say plainly to Your Lordships, That in my Opinion, they have been very far from making good their Charge against him in this Article.

My Lords,

To prevent the least Mistake, I shall read the Words of the Article to Your Lordships, as they stand in the Impeachment.

"He, the said *Henry Sacheverell*, in his said Sermon preached at *St. Paul's*, doth suggest and maintain, That the necessary Means used to bring about the said Happy Revolution were odious and unjustifiable; That his late Majesty, in his Declaration, disclaimed the least Imputation of Resistance; and that to impute Resistance to the said Revolution, is to cast black and odious Colours upon his Late Majesty and the said Revolution.

The Doctor in this Article is charged with having maintained that the necessary Means used to bring about the late Happy Revolution were odious and unjustifiable. To support this, the Commons say, That having asserted the General Proposition of the Unlawfulness of Resisting the Supreme Power, and not having excepted the particular Case of Resistance, that was made use of as a Means to bring about the late Happy Revolution, he does thereby reflect both upon the Means, and upon the said Revolution. In Answer to this, there have been
Two

Two things insisted upon to your Lordships, in behalf of the *Doctor*, by his Council. First, That in Cases of such a Nature as this, the Exception is always implied in the general Rule ; and there was a very unanswerable Instance brought in Proof of this, at least, to most of your Lordships : It was the Oath of Allegiance to K. *James*. All those that took that Oath, took it in general Words ; and yet such an extraordinary Case, as the Revolution, was excepted, tho' not expressed by those that took that Oath. The next was, The *Doctor*, say they, would have been justly more blamed, had he mention'd all the Cases of Exception, which extraordinary Cases ought to answer for themselves, whenever they fall out.

And tho', my Lords, these Two be a full Answer ; yet there are Two things more, I think, with Submission, may be added to it, which have not, as yet, been taken Notice of.

The First is, my Lords, That the Proof against the *Doctor* is drawn by Consequences of the Commons own making, which he himself disowns ; and I appeal to that Reverend and Learned Bench, who are great Masters of Controversy, whether it is not an established Rule amongst all learned Men, that have the least Spark of Ingenuity, That no Man ought to be charged with Consequences, let them appear to his Adversary never so clearly and undeniably to follow from his Assertion, when he himself denies those Consequences. This is so known a Maxim, in all Disputes between the Protestants and Papists, and between Protestants themselves, that it cannot be denied. Now, the *Doctor* himself denying, as he does, that he had the least Thought of including the Revolution under his general Assertion, or that he apply'd his Doctrine of *Non-Resistance* to that Case, cannot, without the highest Injustice, be charged with Consequences, which he himself utterly denies.

In the next place, it is impossible, in my Opinion, ever to prove, that *Resistance* was made use of as a Means to bring about the late happy Revolution ; and, consequently, is not within the *Doctor's* general Maxim.

Means, my Lords, is a relative Term, and refers to some End ; and the End and Design of the Prince of *Orange* in his Coming hither, and of those that join'd him when he was here, being to have the Nation and Rightful Succession secured by a Free Parliament, it follows, that whatever Force was at that Time made use of, could not be made use of as a Means to bring about an End which was never intended.

Far be it from me, my Lords, to lessen the great Undertaking to deliver us from Popery and Arbitrary Power ; and tho' the Glory of that Enterprize is wholly attributed to King *William*, 'tis certain, Her present Majesty had Her Share in it, however that is forgotten : For, give me Leave to say, That had not Her Majesty countenanced the Undertaking of the Prince of *Orange* with Her Assistance, in my Opinion, the Success had been very dubious.

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Now, is it possible, my Lords, to imagine, that it was ever the Design of Her Majesty, or those that joined the Prince of *Orange*, to take the Crown off of King *James's*, and put it upon King *William's* Head?

No, my Lords, the avowed great Design was quite otherwise, as appears by the Declaration itself, which was read below : It was to restore and secure our Laws from the Invasions that had been made upon them by Arbitrary Power : It was to secure that Right that all the World knows the Princess had to the Succession of the Crown, and to have every thing settled by a Free Parliament, and not to make a Revolution by dethroning King *James*. This the Prince himself owns, when he says, in his Declaration, *he had no other Design in Coming hither, but a Free Parliament.*

My Lords, I take it to be of most dangerous Consequence, to judge any Man by Suggestions and Innuendo's : Let what will be said to justify it, it shall never be the Rule of my Judgment.

Groundless Suggestions, my Lords, have, within my Memory, been the Pretence of Power, to cover illegal Oppression with the Shew of Reason, to the Publick. I will give your Lordships but one Instance of it : It was the Case of a Reverend Prelate, now in the House ; I mean, the Archbishop of *York* : His Grace was then Dr. *Sharpe* only. It was in the Year Eighty Six ; there was an Order, directed by way of Letter to the Protestant Bishops, to discharge all the Inferior Clergy from preaching upon controverted Points in Divinity. They thought it served the Designs of Popery, then, to direct Ministers how they should preach ; which was, in effect, to forbid them to defend their Religion. This Precedent was taken from an Order in Queen *Mary's* Time, says the printed Account ; when at the same time, it was attack'd by the *Romish* Priests with all the Vigour they were capable of, whilst the Popish Sermons and Discourses were printed by Authority. Notwithstanding this Order, the *Dædæ* took Occasion, in some of his Sermons, to vindicate the Church of *England*, in opposition to the Frauds and Corruptions of Popery. But this, by the Court Emissaries, was interpreted much the same way as the *Dædæ*'s Sermon is now, to be endeavouring to beget in the Minds of his Hearers, an ill Opinion of the King and his Government, by insinuating Fears and Jealousies, to dispose them to Discontent, and to lead them into Schism, Disobedience, and Rebellion.

My Lords, when the Homilies and Articles, when so many Arch-Bishops and Bishops, and the University, and most of the Foreign Divines too, especially the *Lutherans*, have asserted the same Doctrine of *Non-Resistance* to the Supreme Power, as Dr. *Sacheverell* has, I think it the hardest Case in the World ; that this unfortunate Gentleman should thus be singled out and made a Criminal, and a kind of Martyr, enduring the Trial of cruel Mockings, yea moreover of Bonds and Imprisonment, for asserting the same Doctrine. 'Tis true ; *Beza*, and *Pareus*, and some others of the *Calvinists*, are of another Opinion ;

but

but 'tis known, that *Pareus's* Commentary on the 13th of the *Romans* was burnt at *Oxford*, by the Order of King *James* the First, for asserting that Doctrine.

But there is one thing, My Lords, so astonishing in this Prosecution, that I cannot but take Notice of it: Those who were at *Man's* Estate, at the Revolution, know how Industrious, on the one Side, all that were Friends to King *James* were, to put his Leaving the Nation then upon the Foot of Force and Resistance, as thinking this the strongest and best Argument to justify his Withdrawing himself from his People; they rackt their Brains to find out Arguments to convince Men, that his Life was manifestly in Danger, by staying here, and that it was for the sake of that, and his Liberty, that He was forc'd to withdraw, and that his Withdrawing was just being an Act of Necessity, and not of Choice.

On the other side, those that were Friends to the Revolution, made it their Business to persuade the World, that all this was but a Colour and Pretence, and that the Fact was quite otherwise, that the Sense and Conviction King *James* had of what he had done, prevail'd upon him rather to throw off the Government, than concurr with a Free-Parliament.

That this was the only Foot they then put it upon, and that it was not then put upon the Foot of Forfeiting the Government by Male-Administration, if any Man denies, I appeal to the Papers that were then writ and are now in Print on this Subject.

This being so, it is very strange to see so great an Alteration in Mens Notions of Things; and that now after our Constitution has maintain'd itself upon this Foot, against all Designs and Attempts that have been made upon it, for above twenty Years, those very Men, and that Party, who endeavour'd to place the Revolution then, upon King *James's* Voluntary Desertion, which they call'd *Abdication*, should now, without any Reason given, be for changing that Foundation, and do all they can, to put it upon King *James's* Foot of Force and Resistance. What, my Lords, Are we endeavouring, after twenty Years, to make King *James's* Title better now than any of his Friends could make it then, and not only finding out Arguments they never thought of, but Impeaching any that dare so much as question the Truth and Force of them? This, my Lords, seems very strange.

My Lords, I cannot but take Notice to your Lordships, of what was said by that Noble Lord, who spoke last, because to me it appears to be a Matter of the last Consequence, to the Honour of Her present Majesty. He told your Lordships, that the best Title Her Majesty had to the Crown, was Her Parliamentary Title. I must take Liberty to affirm the quite contrary, and that in my Opinion, the best Title Her Majesty has, is Her Hereditary Title; tho' I deny not, but that the Act of Parliament is a Strengthening and Confirmation of that Title; but I deny a Parliamentary Title to be the only, or the best Title that the Queen has to the Crown She wears: And in saying

saying this, I do not fear the malicious Reflexions of having a squinting Regard to the Title of any Person on the other side the Water ; for in affirming (as I now do to your Lordships) that Her Majesty is my Rightful and Lawful Queen, by Right of Inheritance, and as She is Daughter to King *James* the Second, I do in so many Words affirm also, that there is no other Person, the Rightful and Lawful Heir to King *James* but Herself. And if the present Impeachment of Dr. *Sacheverell* shall have this Effect (as I hope it will) to convince the Nation of the undoubted Truth of Her Majesty's Right of Inheritance to the Crown (a Matter now so industriously oppos'd) the Security this will bring to Her Majesty's Person and Crown, and to the Succession in the Protestant Line, and Illustrious House of *Hannover* afterwards, shall prevail with me easily to pardon any warm and unguarded Expressions, that the *Doctor* may here and there have dropt, and made use of in any of his Discourses.

P I N I S

